

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MOTION TO CONTINUE SUPERVISED RELEASE REVOCATION HEARING

AND NOW comes the United States of America, by and through its counsel, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Marshall J. Piccinini, Assistant United States Attorney for said district, and states as follows:

On March 11, 2008 at 11:00 a.m. the court has a hearing scheduled to determine whether the defendant's supervised release shall be revoked. The hearing is based upon the Petition on Supervised Release filed by the U.S. Probation office on January 15, 2008. One of the allegations in support of the revocation of supervised release relates to a November 13, 2007 criminal complaint that was filed against the defendant charging him with aggravated assault. That case is docketed at Erie County Court of Common Pleas docket number 3239-07 and the matter is scheduled for trial on May 12, 2008.

It is likely that the resolution of the pending aggravated assault case may impact the revocation of Ruiz's supervised release and the potential revocation sentence.

WHEREFORE, the government requests that the supervised release revocation hearing be postponed until the resolution of the pending charges in the local court.

Respectfully Submitted,

MARY BETH BUCHANAN
United States Attorney

s/ Marshall J. Piccinini
MARSHALL J. PICCININI
Assistant U.S. Attorney
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